



Economic Impact Analysis Virginia Department of Planning and Budget

8 VAC 20-700 – Regulations for Conducting Division-Level Academic Reviews Department of Education December 22, 2005

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.H of the Administrative Process Act and Executive Order Number 21 (02). Section 2.2-4007.H requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic impacts.

Summary of the Proposed Regulation

House Bill 1294 of the 2004 Virginia General Assembly amended Section § 22.1-253.13:3 of the Code of Virginia to allow the Virginia Board of Education (board) to conduct division-level academic reviews when the failure of schools within a division to achieve full accreditation status is related to division level failure to implement the Standards of Quality. The board proposes this regulation to detail the procedure.

Estimated Economic Impact

House Bill 1294 of the 2004 Virginia General Assembly adds the following language to Section § 22.1-253.13:3 of the Code of Virginia:

When the Board of Education has obtained evidence through the school academic review process that the failure of schools within a division to achieve full accreditation status is related to division level failure to implement the Standards of Quality, the Board may require a division level academic review. After the conduct of such review and within the time specified by the Board of Education, each school board shall submit for approval by the Board of Education an

improvement plan, setting forth specific actions and a schedule designed to ensure that schools within its division achieve full accreditation status. Such plans shall be part of the relevant school division's six-year improvement plan pursuant to § 22.1- 253.13:6.

The proposed regulations outline the process for conducting division-level academic reviews and submitting a corrective action plan to the board. The regulations specifically address the criteria for selecting a school division for a division-level academic review, the structure of the review, deadlines for holding a public hearing and completion of the division improvement plan, and corrective actions. In addition, the proposed regulations include provision for reviews to be conducted by agencies or organizations other than the Department of Education (department) when appropriate.

The board proposes the following criteria for selecting school divisions for division-level academic reviews: 1) the school division's accountability determination for student achievement, as required in federal law (No Child Left Behind), 2) the percentage of students attending schools that are not fully accredited (via the Standards of Learning) in the division exceeds the statewide average, and 3) school academic review findings in the division report the failure of the division's schools to reach full accreditation is related to the school board's noncompliance with the Standards of Quality. The board's chosen criteria are logical and comply with the Code.

The state board proposes to require that: 1) local school boards hold a public hearing on the improvement plan at least 15 days prior to their approval of the plan, and 2) the improvement plan be approved by the local board and submitted for state board approval within 60 business days of the issuance of the division-level academic review report. The proposed requirement for a public hearing to be held is beneficial in that it allows interested parties to become informed and potentially contribute useful information. The proposal that it be held at least 15 days prior to their approval of the plan is also beneficial since a public hearing held just prior to approval would not allow enough time for the public to formulate responses, and for the local board to consider the information contained within those responses in constructing the version of the improvement plan that will be submitted. The requirement that the improvement plan be approved by the local board and submitted for state board approval within 60 business days of the issuance of the division-level academic review report may at times be difficult for some local

boards to meet. This will likely depend on what needs to be changed, availability of staff, and whether agreement with the affected local parties can be reached within that time.

Businesses and Entities Affected

The proposed regulations affect the 132 school divisions in the Commonwealth, as well as their staff and students.

Localities Particularly Affected

The proposed regulations particularly affect localities where the percentage of students attending public schools that are not fully accredited (via the Standards of Learning) in the division exceeds the statewide average.

Projected Impact on Employment

The proposed regulations do not significantly affect employment.

Effects on the Use and Value of Private Property

The proposed regulations do not significantly affect the use and value of private property.

Small Businesses: Costs and Other Effects

The proposed regulations do not significantly affect small businesses.

Small Businesses: Alternative Method that Minimizes Adverse Impact

The proposed regulations do not significantly affect small businesses.